

May 05, 2004
Beachwood Municipal Complex

7:00 PM

Call to Order

Salute to the Flag

Moment of Silence in memory of those who lost their lives in service to our nation, while serving in Iraq, both military and civilian. We also offer a moment of silent prayer for the swift and safe return of all our military personnel.

Opening Statement:

Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this Meeting of the Governing Body of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board located in the Municipal Complex and delivered to the Ocean County Observer and the Asbury Park Press on January 2, 2004.

Roll Call Members Present

Mayor Harold R. Morris

Council Members:

Beverly Clayton
Gregory Feeney

Thomas Miserendino
Patricia A. Moran
Ronald Roma

Absent: Gerald W. LaCrosse

Mayor Morris opened the meeting with an invitation to the public to join in the support of the drive to amend Megan's Law. He presented a petition for signatures, that would be sent to Legislators attesting to the support of residents to the proposed amendments. Assemblyman Brian Rumpf, the sponsor of the Bill (A963) was there to lend his support. Accompanying him in the signing of the petition, were Freeholder Jerry Little, Mayor Russell K. Corby (Pine Beach) and Mayor Jason Verano (Berkeley Township), Principal Maureen Zuck (Beachwood Elementary School) and more than 100 residents from the community. The petitions any any accompanying correspondence will be delivered to our Legislative Body within the next two or three weeks.



BRIEF RECESS PROPOSED BY COUNCIL

Motion: Feeney

Second:

Moran

Approved: Clayton – Feeney – Miserendino – Moran – Roma

RE-OPEN

Motion: Roma Second: Clayton
 Approved: Clayton – Feeney – Miserendino – Moran - Roma

#2004-151 RESOLVED by the Governing Body of the Borough of Beachwood to approve the 2004 Certified Bills List in the amount of A: \$ 248,202.59 B: \$ 730,516.00

Motion: Feeney Second: Moran
 Approved: Clayton – Feeney – Miserendino – Moran -Roma
 Abstain: Absent: LaCrosse

#2004-152 RESOLVED by Mayor and Council to approve the minutes of the April 21, 2004 Meeting of Mayor and Council.

Motion: Moran Second: Clayton
 Approved: Clayton – Feeney – Miserendino – Moran -Roma

#2004-153 RESOLVED by the Governing Body to approve the following rentals of the Community Center and Mayo Park.

COMMUNITY CENTER 2004				
July	09	Spicciatie	Rental:	\$350
		720 Windward Ave	Deposit:	\$500
Oct.	17	Koenig (Girl Scout Troop 281)	Rental:	\$WAIVE
See letter		1009 Tiller Ave	Deposit:	\$WAIVE
2005 COMMUNITY CENTER				
April	02	Amaniera	Rental:	\$350
		1017 Surf Ave	Deposit:	\$500
June	18	Wurmbrand	Rental:	\$350
		138 Seaman Ave.	Deposit:	\$500
MAYO PARK 2004				
July	24	Turnage	Rental:	\$125
		243 Capstan Ave	Rental:	\$175
August	14	Owen Little Associates .	Rental:	\$125
		443 Atlantic City Blvd.	Deposit:	\$175
BEACH USE 2005				
July	15	Municipal Alliance (Luau)		
July	16	Rain Date		

Ocean County Girl Scouts Troop 281

Judylee Koenig
1009 Tiller Avenue
Beachwood, NJ 08722
732-244-8736

April 23, 2004

Mrs. Elizabeth Mastropasqua
Municipal Clerk
Borough of Beachwood
Pinewald Avenue
Beachwood, NJ 08722

Dear Mrs. Mastropasqua, Mayor and Council:

I would like to request the use of the Beachwood Community Center on Sunday, October 17, 2004.

Ocean County Girl Scout Troop 281 will be going to Hawaii, New Zealand and Australia during the Summer of 2005 and we are trying to raise funds to offset the costs. Therefore, we would like to be able to use the Community Center to host a

“Crazy-Mixed-Up Dinner Party”

which would be attended by local girl scouts and their families.

We have used the Community Center in the past for our meetings and know that the facility would be perfect for this event.

We would appreciate your looking favorably upon our request.

Sincerely,

Judylee Koeng
Troop Leader

Motion: Feeney Second: Moran
Approved: Clayton – Feeney – Miserendino – Moran - Roma
Abstain: Absent: LaCrosse

#2004-154 RESOLVED by Mayor and Council to approve the following Conferences – Seminars – Training requests.

Date:	June 9-10-11	Municipal Court	Linda Felton
Location:	Cape May		
Subject:	Court Administrators Spring Conference		
Cost:	\$ 170		
Vehicle:	No		

Motion: Roma Second: Feeney
Approved: Clayton – Feeney – Miserendino – Moran - Roma
Abstain: Absent : LaCrosse

#2004-155 RESOLVED by Mayor and Council to approve the Raffle License Application of the Beachwood Elementary School PTO for June 17, 2004

Motion: Roma Second: Feeney
Approved: Clayton – Feeney – Miserendino – Moran - Roma
Abstain: Absent: LaCrosse

#2004-156 RESOLVED by Mayor and Council to approve the hiring of Deborah Martocci as Clerk – in the Municipal Court – effective Monday May 10th. – Salary \$7.00 per hour (Part Time). This is a 90 day working test period and pending DOP approval.

Motion: Feeney Second: Roma
Approved: Clayton – Feeney – Miserendino – Moran - Roma
Abstain: Absent: LaCrosse

#2004-157 WHEREAS, the amount of district taxes for the School Year 2004, payable by the Borough of Beachwood, amounts to the sum of \$5,637,238.38; and

WHEREAS, the amount requested in the schedule which follows does not exceed the district tax needed to meet the obligations of the Board of Education for any of the succeeding eight week periods.

NOW, THEREFORE, BE IT RESOLVED, that the official request for the district taxes to be paid for the School Year 2004-2005 shall be paid in accordance with the schedule as set forth below:

Payable on or before	AMOUNT
September 3, 2004	\$1,409,309.61
December 3, 2004	\$1,409,309.61
March 4, 2005	\$1,409,309.61
June 3, 2005	\$1,409,309.55

And

BE IT FURTHER RESOLVED that this Resolution shall constitute the request for district taxes for the School Year 2004-2005.

Motion: Clayton Second: Feeney
Approved: Clayton – Feeney – Miserendino – Moran – Roma
Abstain: Absent: LaCrosse

#2004-158 RESOLVED by Mayor and Council to approve the 2004 Schedule “C” agreement between the Borough of Beachwood and the County of Ocean in the amount of \$230,000.00; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute the agreement on behalf of the Borough of Beachwood.

Motion: Roma Second: Clayton
Approved: Clayton – Feeney – Miserendino – Moran – Roma
Abstain: Absent: LaCrosse

#2004-159 WHEREAS, N.J.S.A. 40:56A-8 provides for several municipalities to form in a joint environmental commission for purposes and authority stated within its provisions; and

WHEREAS, it has been proposed that the seven municipalities which border the Toms River and portions of the Barnegat Bay, consider such a collaborative governmental

agreement for the purposes of providing for consistent environmental policies and maintenance; and

WHEREAS, N.J.S.A. 40:56A-8 provides that the formation of a joint environmental commission requires the adoption of an identical ordinance by each of the participating municipalities; and

WHEREAS, the Borough of Beachwood reserves the right to negotiate, reject or consent to any and all provisions of any such ordinance so proposed, prior to the final adoption;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Beachwood hereby consents to consider a draft ordinance for the purpose of participation in a joint environmental commission within the combined area of the seven municipalities which border the Toms River and portions of the Barnegat Bay in Ocean County; and

FUTHER, IT IS RESOLVED that a duly authenticated copy of this resolution be forwarded to the Mayor and Governing Bodies and Municipal Clerks of the municipalities of :

Berkeley Township – Dover Township – Island Heights – Ocean Gate – Pine Beach and South Toms River,

In furtherance of the desire to negotiate provisions of an ordinance creating a joint environmental commission.

Motion:	Roma	Second:	Miserendino
Mayor:	Addressing concerns – noted that this was to permit the drafting of an ordinance to consider – establishing and Environmental Commission (Joint). In order for Pine Beach to proceed – it needs all seven Municipalities to concur.		
Approved:	Clayton – Feeney – Miserendino – Moran - Roma		
Abstain:	Absent: LaCrosse		
#2004-160	RESOLVED by Mayor and Council to authorize Owen Little Associates to address the NJDEP review comments on Water Allocation for School.		
Motion:	Roma	Second:	Miserendino
Approved:	Clayton – Feeney – Miserendino – Moran - Roma		
Abstain	Absent: LaCrosse		
#2004-161	RESOLVED by Mayor and Council to authorize a \$1,490.00 allocation for structural design on Platform of Lime Unit Project to Structural Engineer Stephen Lazorcheck.		
Motion:	Miserendino	Second:	Feeney
Approved:	Clayton – Feeney – Miserendino – Moran - Roma		
Abstain	Absent: LaCrosse		
#2004-162	RESOLVED by Mayor and Council to approve the “Structural Engineer Stephen Lazorcheck” proposal change order in the amount of \$2,160.00		
Motion:	Feeney	Second:	Clayton
Question:	Miserendino – to Engineer. Explanation – “to address changes in r/r from State requires a change in the proposal for scope of work”		
Approved:	Clayton – Feeney – Miserendino – Moran – Roma		
Abstain:	Absent: LaCrosse		

ORDINANCE

FIRST READING TITLE ONLY

#2004-08 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE ACQUISITION OF A FIRE TRUCK AND SALT SHED, THE REMOVAL AND INSTALLATION OF GASOLINE STORAGE TANKS AND VARIOUS ROAD IMPROVEMENTS WITHIN THE BOROUGH OF BEACHWOOD AND APPROPRIATING THE SUM OF \$600,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000.00 IN GENERAL IMPROVEMENT BONDS OR NOTES TO FINANCE THE COST THEREOF

RESOLUTION

#2004-163 RESOLVED by Mayor and Council to approve Ordinance #2004-08 as presented on First Reading Title Only.

Motion: Moran Second: Roma
Approved: Clayton – Feeney – Miserendino –Moran –Roma
Abstain: Absent: LaCrosse

ORDINANCE FIRST READING TITLE ONLY

#2004-09 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING VARIOUS WATER UTILITY IMPROVEMENTS AND APPROPRIATING THE SUM OF \$600,000.00 IN WATER UTILITY BONDS OR NOTES TO FINANCE THE COST THEREOF

RESOLUTION

#2004-164 RESOLVED by Mayor and Council to approve Ordinance #2004-09 as presented on First Reading Title Only

Motion: Miserendino Second: Roma
Approved: Clayton – Feeney – Miserendino –Moran –Roma
Abstain: Absent: LaCrosse

CORRESPONDENCE

- 1. Lipton - Requesting Block 5.09 Lot 2 be placed for sale.
- 2. Beachwood Yacht Club – Requesting permission for bonfire on beach in front of Yacht Club – May 15. They are currently securing permits, and have been advised of availability of steel drum from DPW and clean up status.

#2004-165 RESOLVED BY MAYOR AND COUNCIL to approve the request to hold a bonfire at the beachfront at the Yacht Club pending all permits and conditions noted.

Motion: Feeney Second: Moran
Approved: Clayton – Feeney – Miserendino –Moran –Roma
Abstain: Absent: LaCrosse

- 3. Recreation Commission – Requesting closure of “bayside Ave” for Memorial Day Picnic Referred to Police for Review
- 4. N.J. Natural Gas – Public Hearing on proposed increase in service fees.
- 5. Fire Company – Requesting approval to hold Annual Coin Toss – July 2-3-4 and September 4-5-6 09:00 – 6:00 p.m. Routes 166/ Route 9

RESOLUTION
#2004-166

RESOLVED by Mayor and Council to approve the request for Coint Toss
Application – of the Beachwood Volunteer Fire Company #1 Inc.

Motion: Feeney Second: Moran
Approved: Clayton – Feeney – Miserendino – Moran – Roma
Abstain: Absent: LaCrosse

COUNCIL REPORTS

- Mayor: Thanked all those in attendance tonight.
Had discussion with local merchant who would like to put flags along Route 166 on telephone poles.
- Clayton; Beverly Recreation Commission Memorial Day activities in preparation.. Parade kicks off at 11:00 . Recreation Bus inspection pending. June 18th movie at the Beach – Pirates of the Caribbean. Beach sand replenishment underway. Badges on sale now. Reminder of West Nile Virus – information available at Borough Hall.
- Mayor Morris Attended April 30th. Community Awareness program hosted by Girl Scouts. Troop Leader Tina Clarke read a letter responding to misleading statements in press on coverage of event.
- Feeney; Gregory Thanked Mayor Morris for his efforts expended on behalf of Megans' Law changes. Police monthly activity report reflects job well done. Claims review committee (JIF) will be addressing annual audit in their next report. Thanked Freeholder Little for his appearance this evening and remaining for meeting.

RESOLUTION
#2004-166

RESOLVED by Mayor and Council to authorize going to bid on Sanitation Trucks.
Specifications as provided by Attorney on March 15.

Motion: Feeney Second: Roma
Approved: Clayton – Feeney – Miserendino – Moran- Roma
Abstain: Absent: LaCrosse

- LaCrosse; Gerald W. ABSENT
- Miserendino; Thomas Meeting to be scheduled with parties to discuss the First Aid Building. First Aid Captain's vehicle lost wheel. We should be looking into new vehicle. Zoning/Code Enforcement report presented. Received letter from Dover Township regarding Ciba Geigy drums, looking for supportive effort from Borough.
- Moran; Patricia Thanked Mayor for his hard work and efforts on behalf of Megans Law. There is support to affect change. Work is being done on beach bluff area. Notes that Public works is doing excellent job, without benefit of Department Head. Working well together and accomplishing much.

#2004-167

RESOLVED by Mayor and Council to award a bid for Construction of the Handicapped Bathroom to Trinity Construction in the amount of \$28,100.00

Motion: Moran Second: Feeney

Approved: Clayton – Feeney – Miserendino – Moran – Roma
Abstain: Absent: LaCrosse

Roma; Ronald Alliance dance scheduled for May 14. Road department addressed 186 potholes to date.

Attorney Cell Tower Bids and Water Tank Antennae Lease Bids are scheduled for receipt on June 2.

Engineer Railroad Ave. Phase I under design. Documents have been submitted to Ocean County.. Route 9 corridor study attending May 26th workshop.

Municipal Clerk Reminder to council to rview proposed changes in DOP new CAMPS program.

Treasurer/Collector: Noted that the approval for seminar March 3 for Police Chief has change in date and price reduction.

OPEN TO PUBLIC DISCUSSION

Motion: Roma Second: Miserendino
Approved: Clayton – Feeney – Miserendino – Moran -Roma
Absent : LaCrosse

Lipton
Pennant Ave: Commended Mayor for work on Megans' Law.

Freeholder Little Noted Ocean County Health Dept will be conducting Screening on Stroke Risk Assessment on May 6th and 17th. May is also Mental Health Month.

CLOSE TO PUBLIC DISCUSSION

Motion: Roma Second: Miserendino
Approved: Clayton – Feeney – Miserendino –Moran -Roma
Absent : LaCrosse

EXECUTIVE SESSION

WHEREAS, SECTION 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
Contractual - Engineer (First Aid Building) (Water Interconnection)
R.B. Reynolds (Fire House Refurb)
Terms & Condition of Employment – Court – Police – Payroll – Proposed Director – Employment Policy.
3. It is anticipated that the subject matter discussed may be made public in (90) days.

Motion: Roma Second: Clayton
Approved: Clayton – Feeney – Miserendino – Moran - Roma

RE-OPEN

Motion: Miserendino Second: Feeney
Approved: Clayton – Feeney – Miserendino – Moran - Roma

ACTION RESULTING FROM THIS EXECUTIVE SESSION

#2004-168 RESOLVED by Mayor and Council to authorize Liz Sarantinoudis to sign payroll checks.

Motion: Miserendino Second: Clayton
Approved: Clayton – Feeney – Miserendino – Moran –Roma
Abstain: Absent: LaCrosse

ADJOURNMENT

Motion: Miserendino Second: Roma
Approved: Clayton – Feeney – Miserendino – Moran –Roma
Abstain: Absent: LaCrosse

Submitted by: Elizabeth A. Mastropasqua

Harold R. Morris
Mayor

Attested to by: _____
Elizabeth A. Mastropasqua
Municipal Clerk